

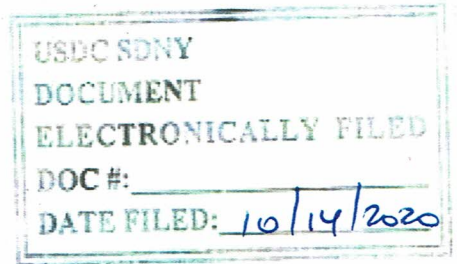
UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

UNITED STATES OF AMERICA,

-against-

ANTHONY LAURIA, et al.,

Defendants.



19 CR 449 (NSR)

ORDER

NELSON S. ROMÁN, United States District Judge:

By motion dated June 8, 2020 (EFC No. 54), Defendant Anthony Molina ("Molina") sought, inter alia, to suppress all the evidence, including his cellphone and its contents, seized by the Government in connection with his arrest. By Opinion and Order, dated September 24, 2020, the Court set this matter for an evidentiary hearing to resolve the validity of the seizure of Molina's cellphone. (ECF No. 87.) On October 2, 2020, the Government, represented by Assistant U.S. Attorney Lindsey Keenan, informed the Court that it did not intend to offer the cellphone, nor its contents, in its case-in-chief at trial. See Government's letter, dated October 2, 2020. As a result, the Government asserted that the need for a hearing was mooted. Defendant Molina's counsel, Jason Ser, asserts that a hearing is still necessary because there is a reference to Molina's cellphone in one of the affidavits submitted in support of the Government's application for a search warrant. However, since Defendant Molina's motion, which specifically sought to suppress the cell and its contents, is now essentially granted, there is no longer a need for a hearing. Accordingly, the hearing scheduled for October 20, 2020 is

cancelled as moot. The Clerk of Court is requested to terminate the motion (ECF No. 90).

Dated: October 14, 2020  
White Plains, New York

SO ORDERED.

A handwritten signature in black ink, appearing to read 'Nelson S. Román', is written over a horizontal line.

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NELSON S. ROMÁN  
United States District Judge